

Case 16-24726-GLT Doc 19 Filed 01/06/17 Entered 01/06/17 09:21:43 Desc Main Document Page 1 of 2
Office of the United States Trustee
The Western District of Pennsylvania
Liberty Center
1001 Liberty Avenue, Suite 970
Pittsburgh, PA 15222
412-644-4756 (Phone) 412-644-4785 (Fax)

IN RE:

Chapter 11

C&D Coal Company, LLC

Case No. 16-24726-GLT

Notice of Formation Meeting For Official Committee of Unsecured Creditors

The above-named debtor(s) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. Section 1102(b) of the Bankruptcy Code authorizes the United States Trustee to appoint an Official Committee of Unsecured Creditors (“Committee”), and the debtor’s petition or other sources of information indicate that you may be eligible for appointment to the Committee in this case. The Committee represents the interests, and acts on behalf, of all unsecured creditors. Members of the Committee are generally selected from the list of the twenty largest unsecured creditors.

This is to notify you that the United States Trustee will hold a meeting to form a Committee on **Tuesday, January 17, 2017, at 10:00 a.m.** at the following location:

**Office of the United States Trustee
1001 Liberty Avenue, Liberty Center
Suite 725
Pittsburgh, PA 15222**

A representative of the debtor is invited to attend the meeting to provide information regarding the status of the case. If you do not wish to serve on the Committee, your presence at the meeting is not required.

If you wish to be considered for Committee membership but are unable to attend, you should immediately notify the Office of the United States Trustee. If you do not attend the meeting and do not affirmatively indicate your willingness to serve, you will not be considered. If you send an individual to represent you at the meeting, that representative must present your written proxy authorizing him or her to act on your behalf.

The United States Trustee urges you to consider serving on the Committee. Under the Bankruptcy Code, the Committee has the right to demand that the debtor consult with the Committee before making major decisions or changes, to request the appointment of a trustee or examiner, to participate in the formation of a plan of reorganization, and in some cases, to propose its own plan of reorganization. If appropriate, the Committee may request that the Bankruptcy Court convert a chapter 11 case to one under chapter 7, at which time the debtor’s operations would cease and its assets would be liquidated. The Committee is authorized to select

and employ an attorney and other necessary professionals, subject to court approval. Fees of professionals employed by the Committee may be paid from available assets, if any, of the bankruptcy estate after court approval. Further, Committee members' actual expenses may be reimbursed from estate assets.

The Committee performs a vital role in chapter 11 reorganizations, and we hope that you will choose to participate.

ANDREW R. VARA
ACTING UNITED STATES TRUSTEE
Region 3

By: /s/ Norma Hildenbrand
Norma Hildenbrand, Esquire

Dated: January 6, 2017

cc: Robert O Lampl, Esquire